

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION**

MIGUEL MARTINEZ RIVERA,

Plaintiff,

V.

**EVERGREEN FABRICATION
AND INDUSTRIAL SERVICES, INC.,**

Defendant.

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CASE NO. 1:14-CV-76

**MEMORANDUM ORDER ADOPTING
REPORT AND RECOMMENDATION ON DEFAULT JUDGMENT**

Pursuant to 28 U.S.C. § 636(b) and the Local Rules for the United States District Court, Eastern District of Texas, the Court referred this proceeding to United States Magistrate Judge Keith F. Giblin for pretrial management. On August 12, 2015, Judge Giblin issued his Report and Recommendation on the plaintiff's pending motion for default judgment. Judge Giblin recommended that this District Court grant the plaintiff's motion and enter judgment against the defendant.

To date, no party has filed objections to Judge Giblin's report. The Court has reviewed the motion for default judgment and Judge Giblin's findings and recommendation. The Court **ORDERS** that the Report and Recommendation on Motion for Default Judgment [Doc. #13] is **ADOPTED**. Pursuant to the magistrate judge's recommendation, the Court further **ORDERS** that the plaintiff's Motion for Default Judgment [Doc. #9] is **GRANTED**.

Accordingly, the Court will separately enter final judgment in favor of plaintiff. Pursuant

to Judge Giblin's recommendation, the Court awards damages in the amount of \$8,460.00; \$3,970.00 in attorneys' fees; and \$39.27 in court costs, for a total award of \$12,469.27. Post-judgment interest will be assessed on the \$8,460.00 damages award as more specifically stated in the final judgment.

So **ORDERED** and **SIGNED** this **2** day of **September, 2015**.

A handwritten signature in black ink, appearing to read "Ron Clark", written in a cursive style.

Ron Clark, United States District Judge